

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH CAROLINA

IN RE:)	
)	B/K Case No. 10-00694-dd
Thomas Kelsch,)	Chapter 7
)	
)	NOTICE AND APPLICATION FOR
Debtor.)	SALE OF PROPERTY FREE AND CLEAR.

TO: All Creditors and Parties in Interest

YOU ARE HEREBY NOTIFIED that the Trustee in this case proposes to sell the property herein described according to the terms and conditions stated below.

TAKE FURTHER NOTICE that any response, return and/or objection to this application should be filed with the Clerk of the Bankruptcy Court no later than twenty one (21) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **July 19, 2011 at 9:00 a.m.**, at the United States Bankruptcy Court, 145 King Street, Suite 225, Charleston, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private Sale.

PROPERTY TO BE SOLD: The Estate's one half interest in real property known as 70 Hospitality Street, Mount Pleasant, SC 29464 with TMS Number 535-06-00-321. The co-owner, Marianne Dougherty, has agreed to this sale.

NOTICE: THE TRUSTEE IS SELLING THE ABOVE-REFERENCED PROPERTY "AS IS," WITHOUT ANY WARRANTIES WHATSOEVER INCLUDING, BUT NOT LIMITED TO, WARRANTY AS TO TITLE. THE BUYER AGREES TO RECEIVE THE PROPERTY WITH ALL FAULTS. THE TRUSTEE MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING THE PROPERTY, AND SPECIFICALLY EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY AND ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR USE OR PURPOSE. THE BUYER SHOULD HAVE THE TITLE TO THE PROPERTY RESEARCHED BEFORE THE CONSUMMATION OF THE SALE. THE TRUSTEE DOES NOT PROVIDE LIEN OPINIONS.

THE BUYER HAS BEEN GIVEN THE OPPORTUNITY TO EXAMINE THE PROPERTY BEFORE SIGNING ANY CONTRACT OR SUBMITTING A BID TO PURCHASE THE PROPERTY, AND TO PERFORM SUCH TESTING, IF APPLICABLE, TO DETECT POSSIBLE LATENT DEFECTS.

PRICE: Eight hundred fifty thousand (\$850,000.00) dollars plus twenty-five thousand (\$25,000.00) dollars to be paid directly to the bankruptcy estate for a total sales price of eight hundred seventy-five (\$875,000.00) dollars.

APPRAISAL VALUE: \$875,000.00 per Trustee's real estate appraiser.

BUYER: Aquilla S. Turk and Betsy S. Turk (The Buyers are good faith purchasers for value under §363(m) and do not have any known adverse interest in this case or any parties involved in this case, including the Debtor, his counsel and the U.S. Trustee's office. The Buyers are not

creditors of the Debtor).

PLACE, DATE AND TIME OF SALE: This sale shall take place as soon as possible following the entry of the Order Approving the Sale by the U.S. Bankruptcy Court at a date, place and time to be agreed upon by the parties.

SALES AGENT/AUCTIONEER/BROKER/ETC.: Douglas Harbin, Harbins Two, Inc., 1220 Cadberry Court, Mount Pleasant, SC, 29464.

EXPENSES OF SALE: Normal Seller's closing costs estimated to be \$4,003.50, or approximately .5% of the gross sale price are to be paid from the lender's portion of the sale proceeds.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: Twenty-five thousand five hundred (\$25,500.00) dollars or approximately three percent (3%) to be paid by the lender's portion of the sale proceeds.

ESTIMATED TRUSTEE'S COMPENSATION: Reasonable compensation to be determined by the Court (but not to exceed the limits set in 11 U.S.C. §326(a)).

LIENS/MORTGAGES/SECURITY INTEREST ENCUMBERING PROPERTY: The sale is free and clear of all liens, encumbrances and judgments. This sale is subject to any easements, covenants or restrictions of record. There is a valid first mortgage lien held against this real property by ASC in the amount of \$998,000.00. ASC has agreed to accept \$796,757.93 to release it's lien on the real estate. In addition, there is a valid second mortgage lien held against this real property by GMAC in the amount of \$198,320.00. GMAC has agreed to accept \$20,000.00 to release it's lien on the real estate. The net amounts could increase or decrease depending on the actual closing costs determined at closing.

The Trustee is not aware of any other liens, judgments, or other encumbrances. To the extent they may exist, they are disputed and they shall attach to the estate's interest in the net sale of proceeds pursuant to 11 U.S.C. §326(f)(4).

DEBTOR'S EXEMPTION: Not applicable.

PROCEEDS ESTIMATED TO BE PAID TO THE ESTATE: \$25,000.00

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The Court may consider additional offers at any hearing held on this notice and application for sale. The Court may order at the hearing that the property be sold to another party on equivalent or more favorable terms.

The Trustee may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the court issue an order authorizing sale of said property and such other and further relief as may be proper.

/s/ Kevin Campbell
KEVIN CAMPBELL, TRUSTEE
Post Office Box 684
Mt. Pleasant, SC 29465
(843) 884-6874/884-0997(fax)
District Court ID No. 30
kcampbell@campbell-law-firm.com

Dated: June 1, 2011

UNITED STATES BANKRUPTCY COURT

DISTRICT OF SOUTH CAROLINA

IN RE:)	
)	
Thomas C. Kelsch,)	Bankruptcy Case No.: 10-00694-DD
)	Chapter 7
)	
Debtor.)	

CERTIFICATE OF MAILING

I, Meghan R. Garmany, Legal Assistant, Campbell Law Firm, P.A. hereby certify that on this day I mailed a true and correct copy of the following:

**NOTICE AND APPLICATION FOR SALE OF PROPERTY
AND PROPOSED ORDER APPROVING SALE**

by mailing said copies by United States mail, with proper postage affixed thereto and addressed to the following parties and those on the attached mailing matrix. The United States Trustee's Office was served electronically with this document.

/s/ Meghan Garmany
Meghan R. Garmany, Legal Assistant
Campbell Law Firm, PA
Post Office Box 684
Mt. Pleasant, SC 29465
(843) 884-6874/ (843) 884-0997 fax

Mt. Pleasant, South Carolina
Dated: June 1, 2011

Label Matrix for local noticing
0420-2
Case 10-00694-dd
District of South Carolina
Charleston
Wed Jun 1 16:01:08 EDT 2011

AC HEATING & AIR CONDITIONING
1943 BELGATE ST
SUITE 1
Charleston SC 29407-5501

ALEXANDER, OFFENBERGER AND ROOT
3131 ELBEE
Dayton OH 45439-1919

AMCS
2409 A MALL DRIVE
Charleston SC 29406-6506

AMERICA'S SERVICING COMPANY
MAC NO X 7801 014
3476 STATEVIEW BLVD
FORT MILL, SC 29715-7203

ASC
POB 10328
Des Moines IA 50306-0328

AVONDALE BUILDING AND DEV CORP
d/b/a 1-800 WATER DAMAGE
C/O WM MARK KOONTZ ESQ
PO BOX 40578
CHARLESTON SC 29423-0578

America's Servicing Company
c/o Wells Fargo Home Mortgage
Bankruptcy Payment Processing
MAC# X2302-04C
1 Home Campus
Des Moines, IA 50328-0001

BANK OF AMERICA
PO BOX 15019
Wilmington DE 19850-5019

CAPITAL ONE
POB 71083
Charlotte NC 28272-1083

CHARLESTON COUNTY TREASURER
POB 878
Charleston SC 29402-0863

CHASE
PO BOX 78101
Phoenix AZ 85062-8101

CHASE AUTO FINANCE
201 N CENTRAL AVE
AZ1-1191
PHOENIX, AZ 85004-0073

Kevin Campbell
PO Box 684
Mount Pleasant, SC 29465-0684

DEPARTMENT OF REV OHIO
PO BOX 182401
Columbus OH 43218-2401

Fia Card Services, NA As Successor In Intere
Bank of America NA and Mbn America Bank
1000 Samoset Drive
DE5-023-03-03
Newark, DE 19713-6000

Fia Card Services, NA/Bank of America
by American Infosource Lp As Its Agent
PO Box 248809
Oklahoma City, OK 73124-8809

GMAC
PO BOX 9001719
Louisville KY 40290-1719

HSBC
POB 5222
Carol Stream IL 60197-5222

HSBC Bank Nevada, N.A.
By PRA Receivables Management, LLC
PO Box 12907
Norfolk VA 23541-0907

J. Steven Huggins
Moss & Associates Attorneys, PA
2170 Ashley Phosphate Road
First Citizens Bldg., Suite 405
Charleston, SC 29406-4190

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Thomas Charles Kelsch
138 Cooper River Drive
Mount Pleasant, SC 29464-1813

William S. Koehler
Rogers Townsend Thomas PC
PO Box 100200
Columbia, SC 29202-3200

LAWSON
PO BOX 1692
Mount Pleasant SC 29465-1692

MOSS & ASSOCIATES, P.A.
2170 ASHLEY PHOSPHATE ROAD
SUITE 405
Charleston SC 29406-4178

MUSC
POB 600077
Raleigh NC 27675-6077

OHIO DEPARTMENT OF TAXATION
BANKRUPTCY DIVISION
P.O. BOX 530, COLUMBUS, OH. 43216

OHIO DEPT OF HUMAN RESOURCES
222 E CENTRAL PKWY
Cincinnati OH 45202-1225

PHILLIPS LAW FIRM
9521 MONTGOMERY ROAD
Cincinnati OH 45242-7211

PYOD LLC its successors and assigns as assignee
Citibank
c/o Resurgent Capital Services
PO Box 19008
Greenville, SC 29602-9008

Mary B. Powers
Rogers Townsend Thomas PC
PO Box 100200
Columbia, SC 29202-3200

RUSSELL D WILSON
3914 MIAMI RD
Cincinnati OH 45227-3742

SC DEPARTMENT OF REVENUE
POB 12265
Columbia SC 29211-2265

SHELL
POB 183018
Columbus OH 43218-3018

SMITH & KOONTZ
7455 CROSS COUNTY ROAD SUITE 1
PO BOX 40578
Charleston SC 29423-0578

SUNSHINE STATE INS
PO BOX 3918
Sarasota FL 34230-3918

TARGET
POB 59317
Minneapolis MN 55459-0317

TARGET NATIONAL BANK
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

US Trustee's Office
Strom Thurmond Federal Building
1835 Assembly Street
Suite 953
Columbia, SC 29201-2448

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

US Bankruptcy Court
Attn: Systems
1100 Laurel Street
Columbia, SC 29201-2423

Tobias G. Ward Jr.
Tobias G. Ward, Jr., PA
PO Box 6138
Columbia, SC 29260-6138

Wells Fargo Home Mortgage
3476 Stateview Blvd.
Fort Mill, SC 29715-7203

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

IRS
INSOLVENCY GROUP 4
1835 ASSEMBLY STREET
MPD 39
Columbia SC 29201

U.S. Bank N.A.
Bankruptcy Department
P.O. Box 5229
Cincinnati, OH 45201

(d)U.S. Bank N.A.
P.O. Box 5229
Cincinnati, OH 45201

(d)US BANK
POB 790408
Saint Louis MO 63179

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)America's Servicing Company, servicer f

(u)JPMorgan Chase Bank, N.A.

End of Label Matrix
Mailable recipients 43
Bypassed recipients 2
Total 45